

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

MAILED

AUG 03 2004

U.S. PATENT AND TRADEMARK OFFICE  
BOARD OF PATENT APPEALS  
AND INTERFERENCES

Ex parte CHETAN SHAH,

BADRI MALYNUR and ERIC CHRISTIAN SMITH

Application No. 09/757,322

ORDER RETURNING UNDOCKETED APPEAL

This application was electronically received at the Board of Patent Appeals and Interferences on July 26, 2004. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is here-with returned to the examiner. The matters requiring attention prior to docketing are identified below.

On March 4, 2003, appellants filed an amendment to claims 1-7, 11-16, 19 and 20. It is noted that the language of claims 6(b) and 15(c) in the Appendix to the Appeal Brief differs from its last amended version. 37 CFR § 1.192(c)(9)(2003) requires that the Appendix to the Appeal Brief contains a correct copy of the claims involved in the appeal.

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Accordingly, it is

ORDERED that the application is electronically returned to the examiner to notify appellants to submit a corrected Appendix to replace the existing defective Appendix, or for the examiner to issue a supplemental Examiner's Answer to officially correct the Appendix, and for any further action as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES

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